

**Law Enforcement**  
**Tuesday, July 31, 2018**

**[AB 359](#)**

**([Jones-Sawyer D](#)) In-custody informants.**

**Current Analysis:** 06/20/2018 [Senate Floor Analyses \(text 6/11/2018\)](#)

**Introduced:** 2/8/2017

**Status:** 6/12/2018-Read second time. Ordered to third reading.

**Location:** 6/12/2018-S. THIRD READING

**Summary:** Would revise the definition of an in-custody informant to refer to a person, other than a codefendant, percipient witness, accomplice, or coconspirator who provides testimony or information for use in the investigation or prosecution of a defendant based upon statements made by the defendant while both the defendant and the informant are housed within a correctional institution.

**Position**

Watch

**[AB 748](#)**

**([Ting D](#)) Peace officers: video and audio recordings: disclosure.**

**Current Analysis:** 06/25/2018 [Senate Judiciary \(text 6/14/2018\)](#)

**Introduced:** 2/15/2017

**Status:** 7/3/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/26/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** The California Public Records Act requires that public records, as defined, be available to the public for inspection and made promptly available to any person. Existing law makes records of investigations conducted by any state or local police agency exempt from these requirements. Existing law requires specified information regarding the investigation of crimes to be disclosed to the public unless disclosure would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation. This bill would, notwithstanding the above provisions, allow a video or audio recording that relates to a critical incident, defined as an incident involving a peace officer's use of force, or involving a violation of law or agency policy by a peace officer, to be withheld for 45 calendar days if disclosure would substantially interfere with an active investigation, subject to extensions, as specified.

**Position**

Oppose

**[AB 931](#)**

**([Weber D](#)) Criminal procedure: use of force by peace officers.**

**Current Analysis:** 06/18/2018 [Senate Public Safety \(text 6/12/2018\)](#)

**Introduced:** 2/16/2017

**Status:** 6/26/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/26/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** Current law authorizes a peace officer to make an arrest pursuant to a warrant or based upon probable cause, as specified. This bill would, notwithstanding that provision, require peace officers to attempt to control an incident by using time, distance, communications, and available resources in an effort to deescalate a situation whenever it is safe and reasonable to do so.

**Position**

Oppose

**[AB 1584](#)**

**([Gonzalez Fletcher D](#)) Criminal law: DNA collection: minors.**

**Current Analysis:** 06/15/2018 [Senate Floor Analyses \(text 6/4/2018\)](#)

**Introduced:** 2/17/2017

**Status:** 6/14/2018-Read second time. Ordered to third reading.

**Location:** 6/14/2018-S. THIRD READING

**Summary:** Current law, as amended by the DNA Fingerprint, Unsolved Crime and Innocence Protection Act (the DNA Act), prescribes the circumstances under which DNA may be collected from a qualifying person for inclusion in the statewide DNA database, as specified. Unless required under the DNA Act or pursuant to a court order or search warrant, this bill would prohibit a law enforcement entity from collecting a buccal swab sample or any other biological sample from a minor without first obtaining written consent of the minor and approval of the minor's consent by a parent, legal guardian, or attorney, as specified.

**Position**

Watch

**[AB 1735](#) (Cunningham R) Protective orders: human trafficking: pimping: pandering.**

**Current Analysis:** 06/18/2018 [Senate Public Safety \(text 1/3/2018\)](#)

**Introduced:** 1/3/2018

**Status:** 6/20/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (June 19). Re-referred to Com. on APPR.

**Location:** 6/20/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** Current law requires a court to consider issuing a protective order restraining the defendant from contact with the victim for up to 10 years in all cases in which a criminal defendant has been convicted of a crime involving domestic violence, rape, unlawful sexual intercourse, or any crime requiring registration as a sex offender, including, but not limited to, pimping or pandering a minor, and human trafficking to effect or maintain a violation of specified sex offenses. This bill would additionally require the court to consider issuing a protective order, as provided above, in all cases in which a criminal defendant has been convicted of human trafficking with the intent to obtain forced labor or services, and pimping or pandering without regard to whether the victim is a minor.

**Position**

Watch

**[AB 1749](#) (Daly D) Workers' compensation: off-duty peace officer.**

**Current Analysis:** 07/03/2018 [Senate Floor Analyses \(text 1/3/2018\)](#)

**Introduced:** 1/3/2018

**Status:** 7/2/2018-Read second time. Ordered to third reading.

**Location:** 7/2/2018-S. THIRD READING

**Summary:** Would provide that whenever any peace officer is injured, dies, or is disabled from performing his duties as a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators within or out of the state, or protection or preservation of life or property within or out of the state, or the preservation of the peace anywhere in this state, but is not at the time acting under the immediate direction of his employer, he or his dependents shall be accorded by his employer all of the same benefits the peace officer or his dependants would have received had that peace officer been acting under the immediate direction of his employer.

**Position**

Watch

**[AB 1793](#) (Bonta D) Cannabis convictions: resentencing.**

**Current Analysis:** 06/25/2018 [Senate Public Safety \(text 5/25/2018\)](#)

**Introduced:** 1/9/2018

**Status:** 6/26/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 26). Re-referred to Com. on APPR.

**Location:** 6/26/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** Would require the Department of Justice, before July 1, 2019, to review the records in the state summary criminal history information database and to identify past convictions that are potentially eligible for recall or dismissal of sentence, dismissal and sealing, or redesignation pursuant to AUMA. The bill would require the department to notify the prosecution of all cases in their jurisdiction that are eligible for recall or dismissal of a sentence, dismissal and sealing, or redesignation.

**Position**

Watch

**[AB 2020](#) (Quirk D) Cannabis: local jurisdiction licensees: temporary event license.**

**Current Analysis:** 06/22/2018 [Senate Business, Professions And Economic Development \(text 6/18/2018\)](#)

**Introduced:** 2/5/2018

**Status:** 6/26/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (June 25). Re-referred to Com. on APPR.

**Location:** 6/25/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** MAUCRSA authorizes a state licensing authority to issue a state temporary event license to a licensee authorizing onsite cannabis sales to, and consumption by, persons 21 years of age or older at a county fair or district agricultural association event, provided that certain other requirements are met. This bill would authorize a state temporary event license to be issued to a licensee for an event to be held at any other venue expressly approved by a local jurisdiction for events, as specified. The bill would modify the requirements codified in MAUCRSA to include requirements that are similar to

those provided in regulations adopted by the bureau as specified.

**Position**  
Watch

**[AB 2058](#) (Chau D) Vehicles: driving under the influence: cannabis.**  
**Current Analysis:** 07/03/2018 [Senate Floor Analyses \(text 7/2/2018\)](#)  
**Introduced:** 2/6/2018  
**Status:** 7/2/2018-Read second time and amended. Ordered to third reading.  
**Location:** 7/2/2018-S. THIRD READING  
**Summary:** Current law prohibits a person who is under the influence of alcohol, drugs, or the combined influence of alcohol or drugs from driving a vehicle. Current law also prohibits a person from driving under the influence and proximately causing bodily harm to another person, as specified. Current law defines a drug, for purposes of these provisions, as any substance or combination of substances other than alcohol that can affect the nervous system, brain, or muscles of a person in a manner that impairs the ability to safely drive a vehicle. This bill would recast these provisions to make driving under the influence of cannabis, or driving under the combined influence of cannabis and another drug, each a separate offense, but with no changes to the penalty.

**Position**  
Watch

**[AB 2176](#) (Jones-Sawyer D) Firearms.**  
**Current Analysis:** 07/03/2018 [Senate Floor Analyses \(text 2/12/2018\)](#)  
**Introduced:** 2/12/2018  
**Status:** 7/3/2018-Read second time. Ordered to Consent Calendar.  
**Location:** 7/2/2018-S. CONSENT CALENDAR  
**Summary:** Current law requires the officer taking custody of a firearm to give the owner a receipt indicating that the firearm or other deadly weapon can be recovered, the time limit for recovery, and the date after which the owner can recover the firearm or other deadly weapon. This bill would require the receipt to include the name and residential mailing address of the owner of the firearm or other deadly weapon. Because this bill would increase the duties of local law enforcement, it would impose a state-mandated local program.

**Position**  
Watch

**[AB 2255](#) (Lackey R) Cannabis: distribution: deliveries: violations.**  
**Current Analysis:** 06/25/2018 [Senate Public Safety \(text 4/26/2018\)](#)  
**Introduced:** 2/13/2018  
**Status:** 6/27/2018-Read second time and amended. Re-referred to Com. on APPR.  
**Location:** 6/27/2018-S. APPR.  
**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair  
**Summary:** MAUCRSA requires a licensed distributor, during transportation, to maintain a physical copy of a shipping manifest and a licensee receiving the shipment to maintain each electronic shipping manifest, and requires those manifests to be made available upon request to agents of the Department of Consumer Affairs and law enforcement officers. This bill would impose a fine of \$500 for the first violation of those requirements and, for each subsequent violation would impose a fine that is incrementally increased by \$50, as specified.

**Position**  
Support

**[AB 2641](#) (Wood D) Cannabis: licenses: onsite sales: temporary events.**  
**Current Analysis:** 06/22/2018 [Senate Business, Professions And Economic Development \(text 5/25/2018\)](#)  
**Introduced:** 2/15/2018  
**Status:** 6/27/2018-Read second time and amended. Re-referred to Com. on APPR.  
**Location:** 6/27/2018-S. APPR.  
**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)  
SENATE APPROPRIATIONS, PORTANTINO, Chair  
**Summary:** Would specifically authorize the Bureau of Cannabis Control to issue a state temporary event license to a licensee under MAUCRSA that meets prescribed requirements, including having a valid license, permit, or other authorization, issued by a local jurisdiction that enables the licensee to conduct commercial cannabis activity. The bill would specifically prohibit the bureau from issuing a state temporary cannabis event license for a particular event unless the local jurisdiction in which the event will be held has approved the event.

**Position**

Watch

**[AB 2914](#) (Cooley D) Cannabis in alcoholic beverages.**

**Current Analysis:** 06/25/2018 [Senate Governmental Organization \(text 5/1/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 7/2/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/26/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** Would prohibit a commercial cannabis licensee from selling, offering, or providing a cannabis product that is an alcoholic beverage, including, but not limited to, an infusion of cannabis or cannabinoids derived from industrial hemp into an alcoholic beverage.

**Position**

Support

**[AB 3118](#) (Chiu D) Sexual assault: investigations.**

**Current Analysis:** 06/25/2018 [Senate Public Safety \(text 5/25/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 7/5/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/26/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** This bill would require all law enforcement agencies, medical facilities, crime laboratories, and any other facilities that receive, maintain, store, or preserve sexual assault evidence kits to conduct an audit of all untested sexual assault evidence kits in their possession and report certain data to the Department of Justice by no later than July 1, 2019. This bill contains other related provisions and other existing laws.

**Position**

Watch

**[AB 3131](#) (Gloria D) Law enforcement agencies: military equipment: funding, acquisition, and use.**

**Current Analysis:** 06/25/2018 [Senate Governance And Finance \(text 5/29/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 7/3/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/27/2018-S. APPR.

**Calendar:** 8/6/2018 10 a.m. - John L. Burton Hearing Room (4203)

SENATE APPROPRIATIONS, PORTANTINO, Chair

**Summary:** Would require a law enforcement agency, defined to include specified state and local entities, to obtain approval of the applicable governing body, by adoption of a military equipment impact statement and a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would also require similar approval for the continued use of military equipment acquired prior to January 1, 2019.

**Position**

Oppose

**[SB 10](#) (Hertzberg D) Bail: pretrial release.**

**Current Analysis:** 07/10/2017 [Assembly Public Safety \(text 7/5/2017\)](#)

**Introduced:** 12/5/2016

**Status:** 9/6/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

**Location:** 9/6/2017-A. APPR.

**Summary:** Would declare the intent of the Legislature to enact legislation that would safely reduce the number of people detained pretrial, while addressing racial and economic disparities in the pretrial system, and to ensure that people are not held in pretrial detention simply because of their inability to afford money bail. This bill contains other related provisions and other existing laws.

**Position**

Watch

**[SB 905](#) (Wiener D) Alcoholic beverages: hours of sale.**

**Current Analysis:** 06/27/2018 [Assembly Governmental Organization \(text 5/25/2018\)](#)

**Introduced:** 1/17/2018

**Status:** 7/3/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/28/2018-A. APPR.

**Summary:** Would, beginning January 1, 2021, and before January 2, 2026, would require the Department of Alcoholic Beverage Control to conduct a pilot program that would authorize the department to issue an additional hours license to an on-sale licensee located in a qualified city which would authorize, with or without conditions, the selling, giving, or purchasing of alcoholic beverages at the licensed premises between the hours of 2 a.m. and 4 a.m., upon completion of specified requirements by the qualified city in which the licensee is located. The bill would impose specified fees related to the license to be deposited in the Alcohol Beverage Control Fund.

**Position**

Watch

**SB 978 (Bradford D) Law enforcement agencies: public records.**

**Current Analysis:** 06/25/2018 [Assembly Public Safety \(text 2/1/2018\)](#)

**Introduced:** 2/1/2018

**Status:** 6/26/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 26). Re-referred to Com. on APPR.

**Location:** 6/26/2018-A. APPR.

**Summary:** Would, commencing January 1, 2020, require the Commission on Peace Officer Standards and Training and each local law enforcement agency to conspicuously post on their Internet Web sites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public if a request was made pursuant to the California Public Records Act. By imposing this requirement on local law enforcement agencies, the bill would impose a state-mandated local program.

**Position**

Oppose

**SB 1045 (Wiener D) Conservatorship: serious mental illness and substance use disorders.**

**Current Analysis:** 06/27/2018 [Assembly Health \(text 5/25/2018\)](#)

**Introduced:** 2/8/2018

**Status:** 7/2/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/28/2018-A. APPR.

**Summary:** Would establish a procedure, for the County of Los Angeles and the City and County of San Francisco, if the board of supervisors of the respective county or city and county authorizes the application of these provisions subject to specified requirements, for the appointment of a conservator for a person who is incapable of caring for the person's own health and well-being due to a serious mental illness and substance use disorder, as specified, for the purpose of providing the least restrictive and most clinically appropriate alternative needed for the protection of the person.

**Position**

Watch

**SB 1186 (Hill D) Law enforcement agencies: surveillance: policies.**

**Current Analysis:** 06/22/2018 [Assembly Privacy And Consumer Protection \(text 5/25/2018\)](#)

**Introduced:** 2/15/2018

**Status:** 6/27/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (June 26). Re-referred to Com. on APPR.

**Location:** 6/26/2018-A. APPR.

**Summary:** Would, beginning July 1, 2019, require each law enforcement agency, as defined, to submit to its governing body at a regularly scheduled hearing, open to the public, a proposed Surveillance Use Policy for the use of each type of surveillance technology and the information collected, as specified. The bill would require the law enforcement agency to cease using the surveillance technology within 30 days if the proposed plan is not adopted. The bill would require the law enforcement agency to submit an amendment to the surveillance plan, pursuant to the same open meeting requirements, for each new type of surveillance technology sought to be used.

**Position**

Oppose

**SB 1355 (Hill D) Unmanned aircraft systems: correctional facilities.**

**Current Analysis:** 06/25/2018 [Assembly Public Safety \(text 6/12/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 6/26/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 26). Re-referred to Com. on APPR.

**Location:** 6/26/2018-A. APPR.

**Summary:** Would make a person who knowingly and intentionally operates an unmanned aircraft system on or above the grounds of a state prison, a jail, or a juvenile hall, camp, or ranch guilty of an infraction punishable by a fine of \$500. The bill would make these provisions inapplicable to a person employed by the prison, jail, or county department that operates the juvenile hall, camp, or ranch

acting within the scope of that employment, or a person who receives prior permission from the Department of Corrections and Rehabilitation, the county sheriff, or department that operates the juvenile hall, camp, or ranch.

**Position**

Support

**SB 1421 (Skinner D) Peace officers: release of records.**

**Current Analysis:** 07/27/2018 [Assembly Public Safety \(text 6/19/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 6/26/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 26). Re-referred to Com. on APPR.

**Location:** 6/26/2018-A. APPR.

**Summary:** Would require, notwithstanding any other law, certain peace officer or custodial officer personnel records and records relating to specified incidents, complaints, and investigations involving peace officers and custodial officers to be available for public inspection pursuant to the California Public Records Act. The bill would provide that this information includes, but is not limited to, the framing allegation or complaint, any facts or evidence collected or considered, and any findings or recommended findings, discipline, or corrective action taken.

**Position**

Oppose

**SB 1437 (Skinner D) Accomplice liability for felony murder.**

**Current Analysis:** 06/25/2018 [Assembly Public Safety \(text 5/25/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 6/26/2018-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 26). Re-referred to Com. on APPR.

**Location:** 6/26/2018-A. APPR.

**Summary:** Current law defines murder as the unlawful killing of a human being, or a fetus, with malice aforethought. Current law defines malice for this purpose as either express or implied and defines those terms. This bill would prohibit malice from being imputed to a person based solely on his or her participation in a crime. The bill would prohibit a participant in the commission or attempted commission of a felony inherently dangerous to human life to be imputed to have acted with implied malice, unless he or she personally committed the homicidal act.

**Position**

Oppose

**SB 1451 (Fuller R) Licenses: sale to underaged persons: penalties.**

**Current Analysis:** 06/22/2018 [Assembly Business And Professions \(text 5/10/2018\)](#)

**Introduced:** 2/16/2018

**Status:** 7/2/2018-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 6/26/2018-A. APPR.

**Summary:** Would impose specific penalties on any licensee who holds an A-type or M-type retailer license or A-type or M-type microbusiness license who sells, furnishes, or causes to be sold or furnished cannabis or cannabis products to any person under the legal age on the licensed retail premises or who permits any person under the legal age to consume cannabis or cannabis products on the licensed retail premises, by subjecting the licensee to a suspension or revocation of its A-type and M-type retailer license and A-type and M-type microbusiness license issued for that retail premises where the violation occurred, as provided. The bill would not preclude any additional disciplinary actions to be taken by a licensing authority against the licensee for these acts or omissions.

**Position**

Support

**Total Measures: 24**

**Total Tracking Forms: 24**